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10/608,240	06/27/2003	Marc A. Smith	1026-085 301967.01	2601
27662 7590 06/02/2008 MICROSOFT CORPORATION			EXAMINER	
C/O LYON & HARR, LLP 300 ESPLANADE DRIVE SUITE 800			HOANG, HIEU T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(s) 10/608,240 SMITH ET AL. Office Action Summary Examiner Art Unit HIEU T. HOANG 2152 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 09 April 2008. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) _____ is/are withdrawn from consideration. 5) Claim(s) _____ is/are allowed. 6) Claim(s) 1-24 is/are rejected. 7) Claim(s) _____ is/are objected to. 8) Claim(s) _____ are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are; a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abevance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s)

1) Notice of References Cited (PTO-892)

Notice of Draftsperson's Patent Drawing Review (PTO-948)

Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.

6) Other:

5) Notice of Informal Patent Application

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DETAILED ACTION

1. This office action is in response to the amendment filed on 04/09/2008.

Claims 1-24 are pending.

Response to Arguments

- 3. Applicant's arguments have been fully considered but they are unpersuasive.
- 4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208
 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).
- 5. Applicant argues that the prior art does not teach "a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags." The examiner respectfully traverses. Perkowski teaches in col. 19 lines 43-64, a browser or catalog explorer providing a list of selectable network services including UPN information, trademark information, and product description information, and many more (shown in col. 5 lines 8-21) that are compatible with the identity information of the read tag (col. 6 lines 13-15, scanned tag)
- Applicant argues that the prior art does not suggest storing interactive information on a portable computing device. The examiner respectfully traverses. The prior art does teach local databases for storing interactive information (Perkowski, fig.

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2A, local databases) and a laptop linked to a tag reader (Mulla, fig. 7A), wherein the laptop is fully capable of storing in interactive information on the local databases, at

least appreciated by one skilled in the art at the time of the invention.

Claim Objections

7. Claims 1, 12, 19 and 24 are objected to because of the following informalities: the claims recite "the user interaction system catalog" in the last limitation. There is no antecedent basis for this limitation in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.
 Patentability shall not be negatived by the manner in which the invention was made.
- Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over
 Wilz, Sr. et al. (US 5,992,752, hereafter Wilz), in view of Perkowski (US 7,089,199),
 further in view of Mulla et al. (US 6.119,944, hereafter Mulla).

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10. For claim 1, Wilz discloses a wireless programmable user interaction system providing user interaction with networked services relating to physical objects that have associated machine-readable tags (title, abstract), comprising:

a portable interaction device in wireless communication with a computer network (fig. 3 handheld device 26), the portable interaction device including a portable computing device (fig. 3 handheld device 26), with a payload processor (fig. 3 browser integrated GUI, col. 20 lines 10-11) and an associated machine-readable tag reader (fig. 3, barcode symbol scanner 20), wherein the portable interaction device generates tag identity information relating to a selected physical object upon operating the machine-readable tag reader to read a machine-readable tag associated with the selected physical object (col. 20, lines 13-17);

a payload delivery service that delivers to the payload processor a selected functional payload, received via the wireless communication, to be executed by the payload processor to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an

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identity information category to obtain one or more functional payloads operable by the payload processor; a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags;

However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, fig. 4A1, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (fig. 4A1, col. 14 lines 53-57, UPC catalog correlates product information with product category);

a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags (col. 19 lines 43-64, a browser or catalog explorer providing a list of selectable network services including UPN information, trademark information, and product description information, and many more (shown in col. 5 lines 8-21) that are compatible with the identity information of the read tag (col. 6 lines 13-15, scanned tag).

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Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole scanning system portable.

11. For claim 12, Wilz discloses in a portable interaction device with means for wireless communication with a computer network, the portable interaction device including a portable computing device and an associated machine-readable tag reader, wherein the portable interaction device generates tag identity information upon operating the machine-readable tag reader to read a machine-readable tag, user interaction software stored on the portable computing device and providing user

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interaction with networked services relating to selected physical objects that have associated machine-readable tags (title, abstract, fig. 3, portable bar code scanner 26), comprising:

a payload processor operating on the portable computing device comprising a tag reader (fig. 3, browser integrated GUI, col. 20 lines 10-11, col. 4 lines 13-21, tag reader on the scanner);

a payload delivery service that delivers to the payload processor a selected functional payload to be executed by the payload, via the wireless communication, processor to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor; and a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags;

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However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (UPC catalog 3, col. 14 lines 53-57, UPC catalog correlates product information with product category);

a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags (col. 19 lines 43-64, a browser or catalog explorer providing a list of selectable network services including UPN information, trademark information, and product description information, and many more (shown in col. 5 lines 8-21) that are compatible with the identity information of the read tag (col. 6 lines 13-15, scanned tag).

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable

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interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole scanning system portable.

12. For claim 19, Wilz discloses a wireless programmable user interaction system providing user interaction with networked services relating to physical objects that have associated machine-readable tags (title, abstract), comprising:

a portable interaction device in wireless communication with a local computer network (fig. 3 handheld device 26), the portable interaction device including a portable computing device (fig. 3 handheld device 26), with a payload processor (fig. 3 browser integrated GUI, col. 20 lines 10-11), and an associated machine-readable tag reader (fig. 3, barcode symbol scanner 20), wherein the portable interaction device generates tag identity information relating to a selected physical object upon operating the machine-readable tag reader to read a machine-readable tag associated with the selected physical object (col. 20, lines 13-17);

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a payload delivery service that delivers to the payload processor a selected functional payload, via the wireless communication, to be executed by the payload processor to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface); and

a payload server (fig. 3, server 2,) communicating with the local computer network via a public global computer network (fig. 3, global network including radio base station 27, ISP 4 and information server 2) and providing the selected functional payload to the payload delivery service via the public global computer network and the wireless communication (the server provides the web page associated with the scanned bar code to the portable bar code scanner).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor; and a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags;

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However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (UPC catalog 3, col. 14 lines 53-57, UPC catalog correlates product information with product category);

a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags (col. 19 lines 43-64, a browser or catalog explorer providing a list of selectable network services including UPN information, trademark information, and product description information, and many more (shown in col. 5 lines 8-21) that are compatible with the identity information of the read tag (col. 6 lines 13-15, scanned tag).

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable

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interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole system portable.

13. For claim 24, Wilz discloses a wireless programmable user interaction system providing user interaction with networked services relating to physical objects that have associated machine-readable tags (title, abstract), comprising:

a portable interaction device in wireless communication with a computer network (fig. 3 handheld device 26), the portable interaction device including a portable computing device (fig. 3 handheld device 26), with a payload processor (fig. 3 browser integrated GUI, col. 20 lines 10-11) and an associated machine-readable tag reader (fig. 3, barcode symbol scanner 20), wherein the portable interaction device generates tag identity information relating to a selected physical object upon operating the machine-readable tag reader to read a machine-readable tag associated with the selected physical object (col. 20, lines 13-17);

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a payload delivery service that delivers to the payload processor a selected functional payload, received via the wireless communication, to be executed by the payload processor that includes a browser that executes the selected functional payload at the portable interaction device to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor; and a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags;

However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig.

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1, abstract, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (UPC catalog 3, col. 14 lines 53-57, UPC catalog correlates product information with product category);

a catalog explorer module that provides a resolution service that conforms a list of payloads in the user interaction system catalog with a class, category or format of identity information corresponding to one or more recently read tags (col. 19 lines 43-64, a browser or catalog explorer providing a list of selectable network services including UPN information, trademark information, and product description information, and many more (shown in col. 5 lines 8-21) that are compatible with the identity information of the read tag (col. 6 lines 13-15, scanned tag).

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product

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information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole scanning system portable.

- 14. For claim 2, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the computer network includes a public global computer network (Wilz, col. 20 lines 18-30) and the system further comprises a payload server that provides the selected functional payload via the public global computer network and the wireless communication (Wilz, fig. 3, server 2, wireless link 5).
- 15. For claims 3, 13, and 20, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1, 12, and 19. Wilz-Perkowski-Mulla further discloses a filter that identifies the identity information category of the tag identity information from among plural identity information categories stored in the interaction system catalog (Perkowski, fig. 4A1, col. 12 lines 26-37, UPC and EAN bar code data structures are distinguished by 2 different categories stored in the server).
- For claims 4, 14, and 21, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 3, 13, and 20. Wilz-Perkowski-Mulla further

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discloses a catalog explorer that provides to the interaction system catalog via the wireless communication information to obtain one or more functional payloads that are operable by the payload processor (Perkowski, col. 19 lines 43-64, selectable network services, including UPN information, trademark information, and product description information, can be chosen by checking an appropriate checkbox) and to provide networked services that are compatible with the identity information category of the tag identity information (Perkowski, fig. 4A1, a pluralities of payloads stored in a database server is accessible using a browser on the portable device).

- 17. For claims 5, 15, and 22, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1, 12, and 19. Wilz-Perkowski-Mulla further discloses a component that retrieves from the interaction system catalog an indication of plural selectable network services that relate to the selected physical object (Perkowski, col. 19 lines 43-64, selectable network services, including UPN information, trademark information, and product description information, can be chosen by checking an appropriate checkbox), wherein the selected functional payload corresponds to one of the plural selectable network services (Perkowski, col. 19 lines 43-64, trademark payload corresponds to trademark mode, product description corresponds to product description mode).
- For claims 6, 16, and 23, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 5, 15, and 22. Wilz-Perkowski-Mulla further

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discloses the payload delivery service provides the user with indications of the plural selectable network services and in which the user selects the network service corresponding to the selected functional payload (Perkowski, col. 19 lines 43-64, selectable network services, including UPN information, trademark information, and product description information, can be chosen by checking an appropriate checkbox).

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- For claim 7, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the machine-readable tags are bar code tags (Wilz, abstract).
- 20. For claim 8, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the networked service includes storing at a network location a user annotation relating to the selected physical object (Wilz, col. 21 lines 19-35, information associated with each bar-coded item can be edited).
- For claims 9 and 17, Wilz-Perkowski-Mulla discloses the invention substantially
 as described in claims 1 and 12. Wilz-Perkowski-Mulla further discloses the portable
 computing device is generally programmable (Wilz, col. 11 line 39).
- For claim 10 and 18, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1 and 12. Wilz-Perkowski-Mulla further discloses the payload

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processor includes a browser that executes the selected functional payload (Wilz, fig. 3 browser integrated GUI, col. 20 lines 10-11).

23. For claim 11, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the payload processor provides execution of the selected functional payload directly by the portable computing device (Wilz, fig. 3 browser integrated GUI, col. 20 lines 10-11, GUI displays web pages associated with the scanned items directly on the portable scanner 26)

Conclusion

 THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ΗН

/Bunjob Jaroenchonwanit/ Supervisory Patent Examiner, Art Unit 2152